

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

**BEDROCK COMPUTER,
TECHNOLOGIES, LLC**

Plaintiff,

v.

**SOFTLAYER TECHNOLOGIES,
INC., ET AL.**

Defendants.

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No. 6:09cv269 LED-JDL

JURY DEMANDED

ORDER

The Court previously ordered that leave of Court must be obtained before any motion to strike or *Daubert* motions may be filed. (Doc. No. 339). Defendants’ request for leave to file *Daubert* and Rule 26(a) Motions to Exclude Testing Testimony of Bedrock’s Expert Dr. Mark Jones (Doc. No. 485) is **GRANTED**. Defendants’ request for leave to file a Motion to Exclude, or in the alternative, to Strike the Expert Report and Opinions of Roy Weinstein (Doc. No. 486) is **GRANTED**.

The briefing schedule for the above discussed motions shall be expedited. Defendants shall file their Motions no later than March 9, 2011. Bedrock shall respond no later than March 14, 2011. Both motions are set for hearing on March 17, 2011 at 9:00 a.m.

Bedrock’s request for leave to file a motion to strike any evidence or argument offered by Google Inc. (“Google”) relating to the availability of non-infringing alternatives (Doc. No. 480) is **DENIED**. Google, however, is **ORDERED** to produce Laurent Chavey for an additional three (3) hours of deposition to discuss the allegedly non-infringing code implemented by Google.

In addition, Defendants' request for leave to file a Motion to Exclude Capability Testimony of Dr. Mark Jones (Doc. No. 484-1) remains under further consideration.

So ORDERED and SIGNED this 4th day of March, 2011.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE